

IN THE COURT OF COMMON PLEAS OF YORK COUNTY,
PENNSYLVANIA

Tuesday, March 19, 2013 4:27 PM

IN RE:

2013-SU-000915-25

PETITION TO SET ASIDE
THE NOMINATION PAPERS OF
JOSEPH BELTRANTE, IV
FOR THE OFFICE OF MAYOR
OF THE CITY OF YORK,
YORK COUNTY FOR THE
MUNICIPAL PRIMARY ELECTION
FOR THE YEAR 2013

CIVIL ACTION – LAW

2013 MAR 19 PM 4:17
YORK, PA

PETITION TO SET ASIDE NOMINATION PAPERS

1. Petitioner, Margaret Ruth. Hill-Grigson, is an adult individual residing at 358 West Philadelphia Street, City of York, York County, Pennsylvania 17401 and is duly registered and enrolled as a member of the Democratic Party in York County.
2. Petitioner Charlotte Edith Bergdoll, is an adult individual residing at 515 West Market Street, City of York, York County, Pennsylvania 17401 and is duly registered and enrolled as a member of the Democratic Party in York County.
3. Respondent is Joseph Beltrante IV, an adult individual believed and averred to be residing at 708 Aslan Court, Manchester Township, York County, Pennsylvania 17404.
4. On November 6, 2012, Respondent Joseph Beltrante, IV voted at the 1st District located at Providence Presbyterian Church, 1215 Church Road, Manchester Township, York County, Pennsylvania, 17404. This vote took place less than one year prior to the general election for 2013 which is scheduled for November 5, 2013. (Petitioners' Exhibit #1)
5. Respondent Joseph Beltrante, IV has applied for, received and still benefits from the Homestead tax reduction on the property at the 708 Aslan Drive, Manchester Township property that is only available for a property used as the applicant's legal residence. (Petitioners' Exhibits #3, #4, & #5)
6. York City Ordinance 123.02 ELECTION, TERM AND QUALIFICATIONS states,

"The Mayor shall be elected by the voters of the City at a regular municipal election. His term of office shall begin on the first Monday of January next following his election and shall be for four years and until his successor qualifies. He shall be at least twenty-one years of age, shall have been a resident of the City throughout one year immediately preceding his election and shall reside in the City throughout his term of service". (Ord. 1-1975 §1. Passed 1-21-75.)

7. On March 12, 2013 Respondent filed with the York County Board of Elections a Nomination Page stating that he was a resident of 620 South Queen Street, York City, York County, Pennsylvania and that he was in compliance with all regulations governing the election of mayor of the City of York, Pennsylvania which he was filing to be placed on the ballot for.

8. In and by so voting on November 6, 2012 at the Manchester Township, York County polling place, Respondent Joseph Beltrante, IV declared that as of that date, he was a resident of 708 Aslan Court, Manchester Township, York County, Pennsylvania. (Petitioners' Exhibit #1)

9. On January 30, 2013, Respondent Joseph Beltrante, IV applied to register to vote at 620 South Queen Street, York, PA 17403, thus declaring his residence to be the York City address. The actual registration was filed on February 15, 2013, one month and four days prior to the date of this petition and considerably less than the legally required one year period of residency required prior to election. (Petitioners' Exhibit #2)

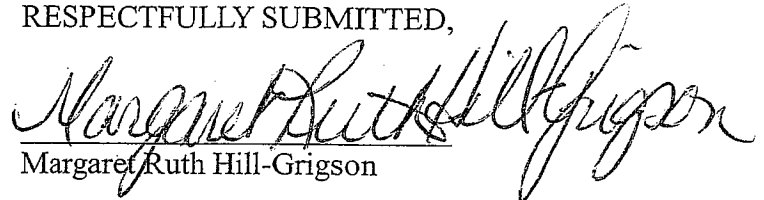
10. Since November 6, 2012 is less than one year earlier than November 5, 2013, Joseph Beltrante, IV has not met the requirements of residency in the City of York, York County, Pennsylvania, to have his name placed in the official ballot for the 2013 Primary Ballot for a term for the Mayor of the City of York, York County, Pennsylvania.


Therefore Joseph Beltrante, IV was not a resident for one year of the municipality in which he filed to run for the office of the Mayor of York City, York County, Pennsylvania, he is not in compliance with the regulations governing the election of mayor of the City of York, Pennsylvania for

which he filed.

WHEREFORE, the Petitioners pray for the issuance of a Rule upon the Respondent, Joseph Beltrante, IV, to show cause why the Nomination Papers attached hereto as Exhibits _____ should not be declared defective and be set aside.

RESPECTFULLY SUBMITTED,


Margaret Ruth Hill-Grigson


Charlotte Edith Bergdoll

Exhibit

#1



YORK County

Monday, March 18, 2013

Voting History for Voter

ID Number (T) IS 102970262-67

Voter Name:	BELTRANTE, JOSEPH IV						
Id Number:	102970262-67	Date Registered:	12/23/2010	Voter Status:	ACTIVE - REGISTERED	MANCHESTER TOWNSHIP	
Date	Election	Method	Party	Location	Reason	Prec Split	
11/6/2012	2012 GENERAL ELECTION	AP	D			360006-1	

Total Elections for Voter: 1

Total Voters in Report: 1

Exhibit

#2

Voters: Find/Modify Voter

BELTRANTE, JOSEPH Security: Last Changed: 2/5/2013 2:44:34 PM
102970262-67 Federal Voter ☐

☒ General ☐ Districts ☒ Votes ☐ Correspondence ☐ Petitions ☐ Changes ☐ Documents ☐ Other ☐ Application

ID Number: 102970262-67 **Application Source:** DOTIC **Registered:** 12/23/2010 **Status-Reason:** ACTIVE - REGISTERED
10/20/2010 12/23/2010

Title: **Last Name:** BELTRANTE **First Name:** JOSEPH **Middle Name:** **Suffix:** IV **Maiden Name:**

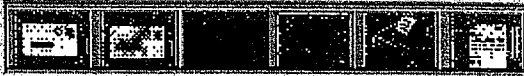
House #: 1/2 **Street Name:** QUEEN ST S **Unit:** **Unit #:** **City:** YORK **State:** PA **Zip Code:** 17403



Address Line 2: **Mail Addr Line 1:** **Mail City:** **State:** **Mail Zip:** **Mail Country:**

Email Address:

BirthDate: 10/22/1980 **Social Sec:** **Driver's Lic:** **Phone:** 717-586-1077 **U:** ☐ **Sex:** M **Race:** **Language:** **Assistance:**

Party: DEMOCRATIC **Other Party:** **Last Voted:** 11/06/2012 ☐ **Must Vote In Person** ☐ **Poll Worker** ☒ **Poll Worker Interest**

Precinct Split: 100600-1 *M. B. 100* 

Record:  1  of 1

Voter Applications									
BELTRANTE, JOSEPH IV					Address Verified <input type="checkbox"/> Approved 100600-1, YORK 6TH WARD				
<div style="display: flex; justify-content: space-between;"> Application App Status Correspondence HAVA Checks </div>									
<div style="display: flex; justify-content: space-between;"> <div> Source: DOTIC </div> <div> <input type="checkbox"/> New <input checked="" type="checkbox"/> Addr Chg <input type="checkbox"/> Name Chg <input type="checkbox"/> Party Chg <input type="checkbox"/> Other <input type="checkbox"/> Cancel </div> </div>									
Last Name:		Suffix:	First Name:		Middle Name:		Sex:	Race:	
BELTRANTE		IV	JOSEPH				M		
House #:	1/2	Dir:	Street Name:		Type:	Dir:	Unit:	Unit #:	City:
620			QUEEN		ST	S			YORK
State:	Zip Code:								
PA	17403								
Address Line 2:		Mail Addr Line 1:		Mail City:		State:		Mail Zip:	
									
Birth Date:	SSN:	Drivers Lic:	Phone:		Party:		Other Party:		
10/22/1980									
Email Address: <div style="display: flex; align-items: center; margin-left: 10px;"> <input type="button" value="Insert"/> <input type="button" value="Clear"/> </div>									
App Date:	Reg Date:	Assistance:							
01/30/2013	02/15/2013								
Old Name:	Title:	Last Name:	Suffix:	First Name:		Middle Name:		Voter Number:	
		BELTRANTE	IV	JOSEPH				102970262-67	
Old Address:	House #:	Street Name:	Unit:	Unit #:	City:	State:	Zip Code:	County:	
	708	ASLAN			YORK	PA	17404	YORK, PA	
<div style="display: flex; justify-content: space-around; margin-top: 10px;"> Delete App OK Cancel </div>									
Record: 1 of 1									

Exhibit

#3

Property Tax Relief Through Homestead Exclusion

About The Taxpayer Relief Act

The Taxpayer Relief Act, Act 1 of Special Session 1 of 2006, was signed into on June 27, 2006. The Taxpayer Relief Act provides for property tax reduction allocations to be distributed by the Commonwealth to each school district. Property tax reduction will be through a "homestead or farmstead exclusion." Generally, most owner occupied homes and farms are eligible for property tax reduction. Only a primary residence is eligible for property tax relief.

Homestead Definition

Under law, a homestead is defined as dwelling, including the parcel of land on which the dwelling is located and the other improvements located on the parcel for which any of the following apply:

1. The dwelling is primarily used as the domicile of an owner who is a natural person. The homestead for real property qualifying under this paragraph shall not include the land on which the dwelling is located if the land is owned by a person other than the person who owns the dwelling.
2. The dwelling is a unit in a condominium as the term is defined in Section 3103 of Title 68 of the Pennsylvania Consolidated Statutes and the unit is primarily used as the domicile of a natural person who is an owner of the unit; or the dwelling is a unit in a cooperative as the term is defined in Section 4103 of Title 68 of the Pennsylvania Consolidated Statutes and the unit is primarily used as the domicile of a natural person who is an owner of the unit. The homestead for a unit in a condominium or a cooperative shall be limited to the assessed value of the unit, which shall be determined in a manner consistent with the assessment of real property taxes on those units under Title 68 of the Pennsylvania Consolidated Statutes or as otherwise provided by law. If the unit is not separately assessed for real property taxes, the homestead shall be a pro rata share of the real property.
3. The dwelling does not qualify under the criteria listed above and a portion of the dwelling is used as the domicile of an owner who is a natural person. The homestead for real property qualifying under this paragraph shall be the portion of the real property that is equal to the portion of the dwelling that is used as the domicile of an owner.

A farmstead is defined as all buildings and structures on a farm not less than ten contiguous acres in area, not otherwise exempt from real property taxation or qualified for any other abatement or exclusion pursuant to any other law, that are used primarily to produce or store any farm product produced on the farm for purposes of commercial agricultural production, to house or confine any animal raised or maintained on the farm for the purpose of commercial agricultural production, to store any agricultural supply to be used on the farm in commercial agricultural production or to store any machinery or equipment used on the farm in commercial agricultural production. This term shall only apply to farms used as the domicile of an owner.

Homestead or Farmstead Exclusion

Under a homestead or farmstead property tax exclusion, the assessed value of each homestead or farmstead is reduced by the same amount before the property tax is computed. Homeowners are not guaranteed a homestead or farmstead exclusion unless and until an additional income tax for purposes of granting a homestead or farmstead exclusion is approved by voter referendum or sufficient funds have been collected to permit property tax reduction allocations to be made by the Commonwealth.

Filing Deadline

To receive school property tax relief for tax years beginning July 1 or January 1, an application for homestead or farmstead exclusions must be filed by the preceding March 1. School districts are required to notify homeowners by December 31 of each year if their property is not approved for the homestead or farmstead exclusion or if their approval is due to expire. To see the format for the Homestead/Farmstead application, please visit the [Application for Homestead and Farmstead Exclusions \(/webfm_send/2802\)](#).

Homeowners should contact their [county assessment office \(/sites/default/files/uploads/Local-Officials-2008.xls\)](#) for a copy of their county's homestead and farmstead application form.

The March 1 application deadline for property tax relief is set in the Homeowner Tax Relief Act (Section 341 of Act 72 of 2004). The Governor does not have the authority to unilaterally extend this deadline by an executive order. Any changes to the application deadline would have to be addressed through legislation.

For More Information

More information on the Taxpayer Relief Act can be found on the [Department of Education's Web site \(http://www.education.state.pa.us/\)](#).

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THE PAGE WAS LAST MODIFIED: 11/16/2012

Exhibit

#4

York County, Pennsylvania

- [Home](#)
- [About York County](#)
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- [Keywords](#)
- [Site Index](#)
- [Contact](#)

Selected Record

PIN: 360001505210000000

Owner: BELTRANTE JOSEPH IV

Location: 708 ASLAN DR

Acreage: .354

Land Class: 102

Clean & Green: N

Land Value: 40940

Total Value: 224080

Sale Price/Date: 239900 - 12/8/2004
12:00:00 AM

Farmstead Code:

Deed Book Page: 1692-8240

Building Value: 183140

Grantor: CARTER WILLIAMS DIANNA L

Homestead Code: H

Homestead %: 100

Farmstead %:

[New Search](#)

Search Result

	ID	Name	PIN
<u>Select</u>	12990	BELTRANTE JOSEPH IV	360001505210000000

- - [GIS Welcome](#)
 - [Mapping and Data](#)
 - [Contact York GIS](#)
 - [Mapping Help](#)

Full Report

Property and Owner Information

Image



Other Images

Parcel ID 67-36-000-15-0521-00-00000
 Owner Name BELTRANTE JOSEPH IV
 Tot Dwelling/Rent SqFt 2240
 Bedrooms 4
 Baths Half 1
 Recent Sale Price \$239,900.00
 CoOwner
 Prop Class R RESIDENTIAL
 Tax District 36 MANCHESTER TOWNSHIP
 School District 01 CENTRAL
 Prop City YORK PA 17404 6600
 Tax Map 15
 Tax Suffix 00
 Total GLA SF
 GeoJet [View Map](#)

Prop Addr 708 ASLAN DR
 Land Use 102 TWO STORY HOUSE
 Acres 0.354
 Baths Full 2
 Num Parcels 0
 Recent Sale Date 12/8/2004
 Owner Addr 708 ASLAN CT
 Owner Addr2
 Owner City YORK PA 17404 6600
 Prop Street Num 708 ASLAN
 Tax Block 000
 Tax Parcel 0521
 Tax Leasehold 00000
 Owner Display JOSEPH BELTRANTE IV
 Neighborhood 03606000 THE RIDINGS

Assessments

Assessment Year	2013	Tax District	MANCHESTER TOWNSHIP
Land Value	\$40,940.00	Clean and Green Indicator	NO
Imprv Value	\$183,140.00	Farm Land Value	\$0.00
Total Value	\$224,080.00	Market Land Value	\$40,940.00

Transfers

Sale Date	12/8/2004	Sale Price	\$239,900.00
Book	1692	Page	8240
Grantor	CARTER WILLIAMS DIANNA L	Grantee	BELTRANTE JOSEPH IV
Sale Type	LAND & BUILDINGS	Num Parcels	0
Sale Validity	UNVERIFIED VALID SAL		
Sale Date	4/19/1999	Sale Price	\$179,900.00
Book	1360	Page	8959
Grantor	ROYAL BUILDING INC	Grantee	CARTER WILLIAMS DIANNA L
Sale Type	LAND & BUILDINGS	Num Parcels	0
Sale Validity	IMMEASURABLE CHANGE		
Sale Date	6/9/1997	Sale Price	\$32,000.00
Book	1293	Page	3025
Grantor	CRAFT JAMES E	Grantee	ROYAL BUILDING INC
Sale Type	LAND	Num Parcels	1
Sale Validity	UNVERIFIED VALID SAL		
Sale Date	1/18/1996	Sale Price	\$225,000.00
Book	1248	Page	1071
Grantor	CRAFT JAMES E	Grantee	CRAFT JAMES E
Sale Type	LAND	Num Parcels	0
Sale Validity	UNKNOWN		

Site Characteristics

Utilities	ALL PUBLIC	Topograph	LEVEL
Traffic	LIGHT	Road	PAVED
Fronting	RESIDENTIAL STREET	Location	NEIGHBORHOOD OR SPOT
Acres	0.354		

Land Type	Land Size	Land Measurement
PRIMARY SITE	15422	SQUARE FEET

Dwelling Characteristics

Card Number	1	Total Cards	1
Improvement	DEVELOPED	Year Built	1997

Exhibit

#5

York County, Pennsylvania

- [Home](#)
- [About York County](#)
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- [Keywords](#)
- [Site Index](#)
- [Contact](#)

Selected Record

PIN: 102620400390000000

Owner: BELTRANTE JOSEPH IV

Location: 620 S QUEEN ST

Acreage: .043

Land Class: 108

Clean & Green: N

Land Value: 6830

Total Value: 32690

Sale Price/Date: 32000 - 10/5/2009 12:00:00 AM

Farmstead Code:

Deed Book Page: 2045-1828

Building Value: 25860

Grantor: BOHNER THOMAS

Homestead Code:

Homestead %:

Farmstead %:

New Search

Search Result

	ID	Name	PIN
<u>Select</u>	65071	BELTRANTE JOSEPH IV	102620400390000000

- - [GIS Welcome](#)
 - [Mapping and Data](#)
 - [Contact York GIS](#)
 - [Mapping Help](#)

Full Report

Property and Owner Information

Image



Other Images

Parcel ID	67-10-262-04-0039-00-00000	Prop Addr	620 S QUEEN ST
Owner Name	BELTRANTE JOSEPH IV	Land Use	108 NEW TOWNHOUSE/ROW HOUSE OLD
Tot Dwelling/Rent SqFt	1944	Acres	0.0434
Bedrooms	4	Baths Full	1
Baths Half	0	Num Parcels	1
Recent Sale Price	\$32,000.00	Recent Sale Date	10/5/2009
CoOwner		Owner Addr	708 ASLAN CT
Prop Class	R RESIDENTIAL	Owner Addr2	
Tax District	10 WARD 10 CITY OF YORK	Owner City	YORK PA 17404
School District	15 YORK CITY	Prop Street Num	620 QUEEN
Prop City	PA	Tax Block	262
Tax Map	04	Tax Parcel	0039
Tax Suffix	00	Tax Leasehold	00000
Total GLA SF		Owner Display	JOSEPH BELTRANTE IV
GeoJet	View Map	Neighborhood	01002000 SOUTH QUEEN STREET

Assessments

Assessment Year	2013	Tax District	WARD 10 CITY OF YORK
Land Value	\$6,830.00	Clean and Green Indicator	NO
Improvement Value	\$25,860.00	Farm Land Value	\$0.00
Total Value	\$32,690.00	Market Land Value	\$6,830.00

Transfers

Sale Date	10/5/2009	Sale Price	\$32,000.00
Book	2045	Page	1828
Grantor	BOHNER THOMAS	Grantee	BELTRANTE JOSEPH IV
Sale Type	LAND & BUILDINGS	Num Parcels	1
Sale Validity	UNVERIFIED VALID SAL		
Sale Date	12/21/2006	Sale Price	\$21,100.00
Book	1863	Page	4280
Grantor	ORIS ROLAND	Grantee	BOHNER THOMAS
Sale Type	LAND & BUILDINGS	Num Parcels	0
Sale Validity	UNVERIFIED VALID SAL		
Sale Date	6/30/2005	Sale Price	\$8,000.00
Book	1735	Page	5745
Grantor	HIEBLER MARGARET R	Grantee	ORIS ROLAND
Sale Type	LAND & BUILDINGS	Num Parcels	1
Sale Validity			
Sale Date	11/20/2002	Sale Price	\$10,000.00
Book	1529	Page	4242
Grantor	ROSARIO EDWARD	Grantee	HIEBLER MARGARET R
Sale Type	LAND & BUILDINGS	Num Parcels	0
Sale Validity	OTHER		

Site Characteristics

Utilities	ALL PUBLIC	Topograph	LEVEL
Traffic	MEDIUM	Road	PAVED
Fronting	SECONDARY STRIP/SCBD	Location	NEIGHBORHOOD OR SPOT
Acres	0.0434		

Type	Land Size	Land Measurement
PRIMARY SITE	1890	SQUARE FEET

Dwelling Characteristics

Card Number	1	Total Cards	1
Improvement	DEVELOPED	Year Built	1900

IN THE COURT OF COMMON PLEAS OF YORK COUNTY,
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IN RE:

PETITION TO SET ASIDE
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FOR THE OFFICE OF MAYOR
OF THE CITY OF YORK,
YORK COUNTY FOR THE
MUNICIPAL PRIMARY ELECTION
FOR THE YEAR 2013

NO:

CIVIL ACTION – LAW

CERTIFICATE OF SERVICE

We, Margaret Ruth Hill-Grigson & Charlotte Edith Bergdoll, hereby certify that we have caused a true and correct copy of the foregoing document to be served in person and by certified mail on March 19, 2013.

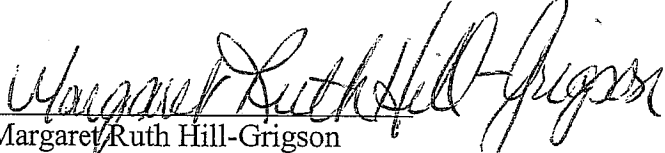
Joseph Beltrante, IV
708 Aslan Court
York, PA 17404

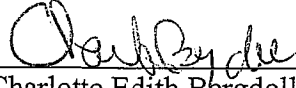
Joseph Beltrante, IV
620 S. Queen St.
York, PA 17403

Elections/Voter Registration Office
Administrative Center
28 East Market St.
York, PA 17401-1579

2013 MAR 19 PM 4:18
JUDICIAL CENTER
YORK, PA

BY:

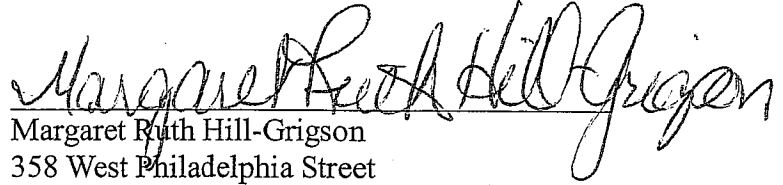

Margaret Ruth Hill-Grigson


Charlotte Edith Bergdoll

VERIFICATION

I verify that I am a qualified registered and enrolled elector of the Democratic Party, that I am the Petitioner-Objector named in the foregoing Petition to Set Aside Nomination Papers, and that the facts set forth therein are true and correct to the best of my knowledge, information and belief. I acknowledge that this Verification is made by me subject to the penalties of 18 Pa. Consolidated Statute §4904 relating to unsworn falsification to authorities.

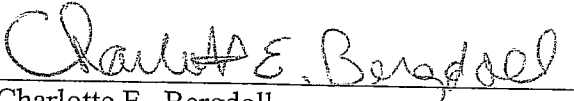
Dated March 19, 2013


Margaret Ruth Hill-Grigson
358 West Philadelphia Street
York, PA 17401

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Dated March 19, 2013


Charlotte E. Bergdoll
515 West Market Street
York, PA 17401